

## **IN THE CLAIMS**

Claims 1-33 (canceled)

34. (currently amended) An expression vector for ~~a foreign gene~~ a gene encoding a viral structural protein comprising a promoter transcribing a selectable drug-resistance gene having an mRNA-destablizing sequence, which produces a short-lived transcript of the drug-resistance gene and wherein said promoter transcribes ~~the foreign gene~~ the gene encoding a viral structural protein ~~which is different from the drug-resistance gene~~ in a prepackaging cell.

Claims 35-40 (canceled)

41. (previously presented) The expression vector as set forth in claim 34, in which the mRNA-destablizing sequence is an mRNA-destabilizing sequence of a c-fos gene.

42. (previously presented) The expression vector as set forth in claim 34, in which the drug-resistance gene is selected from the group consisting of a neomycin resistance gene, a puromycin resistance gene and a hygromycin resistance gene.

43. (previously presented) Cells into which the expression vector as set forth in claim 34 has been transferred and selected with the drug.

44. (currently amended) A process for producing cells expressing ~~a foreign gene product encoded by~~ a gene encoding a viral structural protein in the expression vector as set forth in claim 34, comprising:

- (a) transferring the expression vector into cells,
- (b) selecting cells which express the drug-resistance gene from the transferred expression vector, and

(c) ~~expressing the foreign gene product encoded by the gene encoding a viral~~  
structural protein in the expression vector in the selected cells.

45. (currently amended) A process for expressing ~~a foreign gene product encoded by a~~  
gene encoding a viral structural protein in the expression vector as set forth in claim 34,  
comprising:

- (a) transferring the expression vector into cells having gag and pol genes of a retrovirus,
- (b) selecting prepackaging cells which express the drug-resistance gene from the transferred expression vector, and
- (c) ~~expressing the foreign gene product encoded by the gene encoding a viral~~  
structural protein in the expression vector in the selected prepackaging cells.

46. (currently amended) An expression vector for ~~a foreign gene~~ a gene encoding a viral structural protein to be expressed in a prepackaging cell comprising a selectable drug-resistance gene having an mRNA-destablizing sequence, which produces a short-lived transcript of the drug-resistance gene ~~and wherein the foreign gene is different from the drug-resistance gene.~~

Claims 47-52 (canceled)

53. (previously presented) The expression vector as set forth in claim 46, in which the mRNA-destablizing sequence is an mRNA-destabilizing sequence of a c-fos gene.

54. (previously presented) The expression vector as set forth in claim 46, in which the drug-resistance gene is selected from the group consisting of a neomycin resistance gene, a puromycin resistance gene and a hygromycin resistance gene.

55. (previously presented) Cells into which the expression vector as set forth in claim 46 has been transferred and selected with the drug.

56. (currently amended) A process for producing cells expressing a ~~foreign gene product encoded by a gene encoding a viral structural protein in~~ the expression vector as set forth in claim 46, comprising:

- (a) transferring the expression vector into cells,
- (b) selecting cells which express the drug-resistance gene from the transferred expression vector, and
- (c) expressing ~~the foreign gene product encoded by~~ the gene encoding a viral structural protein in the expression vector in the selected cells.

57. (currently amended) A process for expressing a ~~foreign gene product encoded by a gene encoding a viral structural protein in~~ the expression vector as set forth in claim 46, comprising:

- (a) transferring the expression vector into cells having gag and pol genes of a retrovirus,
- (b) selecting prepackaging cells which express the drug-resistance gene from the transferred expression vector, and
- (c) expressing ~~the foreign gene product encoded by~~ the gene encoding a viral structural protein in the expression vector in the selected prepackaging cells.